

**EXHIBIT A – FINDINGS  
DRC2013-00044**

*Environmental Determination*

- A. The County, as a Responsible Agency, finds that the Final Environmental Impact Report (FEIR) previously certified by the Port San Luis Harbor District on January 27, 2015, is adequate for the purposes of the County's compliance with CEQA (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) and that there is no substantial evidence that the project would have a significant and unavoidable effect on the environment based on Exhibit C – CEQA Findings. The County also finds that no substantial changes are proposed in the project which will require major revision of the previously certified FEIR, no substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revision of the previously certified FEIR, and no new information of substantial importance has been identified which was not known at the time that the previous FEIR was certified. Mitigation measures are proposed to reduce potentially significant impacts to a less than significant level as related to aesthetics, air quality, biology, cultural resources, geology and soils, greenhouse gases, hazards and hazardous materials, and transportation and circulation.

*Development Plan*

- B. The proposed project and use are consistent with the Local Coastal Program and the Land Use Element of the general plan because the use is an allowed use and as conditioned is consistent with all applicable General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The project would not result in inadequate emergency access or evacuation needs because the Port San Luis Harbor District has entered into an agreement with Pacific Gas & Electric to utilize Diablo Canyon Road as secondary emergency/evacuation access should an emergency situation arise. The County Office of Emergency Services considers access along Diablo Canyon Road adequate for the purposes of emergency and evacuation of the Harbor Terrace site.
- E. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed campground, boat and harbor storage, and other related and accessory uses do not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- F. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the campground is a visitor serving use and is similar to, and will not conflict with, the surrounding lands and uses including the public beach and working port.
- G. The proposed project is located on Avila Beach Drive, an arterial road. The project will not generate a volume of traffic beyond the safe capacity of all roads providing access to

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the project, either existing or to be improved with the project because, based on an evaluation of the arterial roadway segments and forecasted future travel patterns in the Avila Beach area, the study location within Avila Beach would operate acceptably at LOS C or better and would be able to handle any additional traffic associated with the project so long as the mitigation measures identified in the Final Environmental Impact report are implemented.

### *Coastal Access*

- H. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project will provide access to the shoreline and will not inhibit access to the coastal waters and recreation areas.

### *Sensitive Resource Area*

- I. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation including visual, cultural, and biological resources, and will preserve and protect such features through the site design, because the development would not block views of the ocean, would not impact known cultural resources, would not impact natural vegetation, and would plant native landscaping along the edges of the development that would be contiguous with the native vegetation to remain.
- J. Natural features and topography have been considered in the design and siting of all proposed physical improvements because mitigation has been identified to provide additional visual compatibility with the surrounding landforms and topography, including use of site design, architectural standards, and native landscaping to partially block public views of vehicles, RVs, and structures and ensure development would not block views to the ocean.
- K. The proposed clearing of topsoil and trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource. The proposed project may include the removal of ornamental trees, Eucalyptus, and vegetation near Babe Lane. No mature (over four inches in diameter) coast live oak trees would require removal. The proposed landscape plan incorporates the use of native trees and vegetation throughout the project site, and along the perimeter of the proposed development area.
- L. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff. The site has been degraded by previous uses. Existing conditions onsite include un-natural terraces. Proposed grading would create softened terraces, which would be vegetated with native species to facilitate improved consistency with the surrounding landscape compared to existing conditions.

### *Environmentally Sensitive Habitat Area (ESHA)*

- M. There will be no significant negative impact on the identified sensitive habitat including purple and valley needlegrass, coast live oak, and coastal scrub. The proposed use will be consistent with the biological continuance of these habitats because based on the location of proposed uses, including coastal-dependent harbor use areas and visitor-serving lodging and campsites, the project would not affect the ecological function or continuance of sensitive habitats, because it would primarily avoid sensitive habitats,

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preserve native and undisturbed habitat within the northern extent of the property, and would incorporate enhancement and restoration of coastal scrub, native grassland, and coast live oak woodland onsite.

- N. The proposed use will not significantly disrupt the habitat because mitigation and monitoring standards have been identified to reduce potential construction and operation-related impacts to reduce the potential to significantly disrupt the function and continuance of sensitive habitats.

### *Archeological Sensitive Area*

- O. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected because the protection and/or mitigation for any significant resources identified as a result of construction shall be incorporated into the proposed site design in coordination with applicable agencies and the local Chumash tribe. During construction, in accordance with Section 23.05.140 of the CZLUO, all construction activities shall cease should resources be identified.